

**PATENTS & TRADEMARKS IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert K. Rowe et al. Confirmation No.: 1809  
Serial No.: 09/832,631 Examiner: C. Curtis  
Filing Date: April 11, 2001 Group Art Unit: 2872  
Docket No.: 1023.1123101 Customer No.: 28075  
For: ENCODED VARIABLE FILTER SPECTROMETER

**TRANSMITTAL SHEET**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 314495790 US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13th day of October 2004

By Kathleen L. Boekley  
Kathleen L. Boekley

We are transmitting herewith the attached:

[XX] Amendment  
[XX] No additional claim fee required  
[ ] The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	-	=		X 44=	\$	X 88 =	\$
( ) FIRST MULTIPLE DEPENDENT CLAIM				+ 150 =	\$	+ 300 =	\$
TOTAL				\$		\$	

A check in the amount of \$ \_\_\_\_\_ is enclosed. Itemization:

Fee Code \_\_\_\_\_ \$

Fee Code \_\_\_\_\_ \$

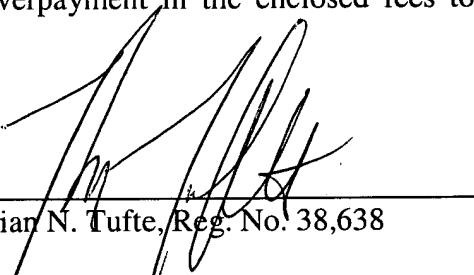
Fee Code \_\_\_\_\_ \$

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

Other: \_\_\_\_\_.

Return Receipt Postcard (MPEP 503).

Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

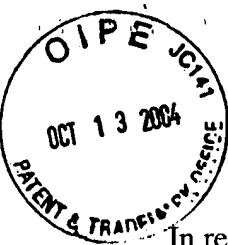
By: 

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PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

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Dear Sir:

This paper is in response to the Office Action mailed July 13, 2004, with a shortened statutory period set to expire on October 13, 2004. This paper is filed within the set period for response such that no extension of time is necessary.

Please consider the following amendments and/or remarks:

**The Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.